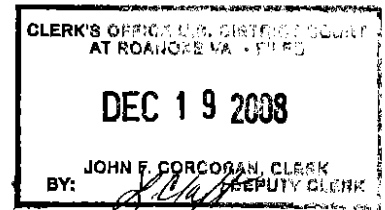


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION



HARRIET J. BROUGHMAN,  
Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,  
Defendant.

Civil Action No. 7:07cv00233

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

By: Hon. James C. Turk  
Senior United States District Judge

**ORDER**


Plaintiff Harriet J. Broughman brings this action, pursuant to 42 U.S.C. § 1383(c)(3), incorporating 42 U.S.C. § 405(g), for review of the Commissioner of Social Security's ("Commissioner") final decision denying her claims for disability insurance benefits under Title II of the Social Security Act ("the Act"). The Court referred the matter to United States Magistrate Judge Michael F. Urbanski for a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge subsequently filed a report, finding that the Administrative Law Judge ("ALJ")'s determination that Broughman is not disabled under the Act is supported by substantial evidence. The Magistrate Judge therefore recommended that the Court grant the Commissioner's Motion for Summary Judgment, and deny Broughman's Motion to Remand.

Following the issuance of the Report and Recommendation, the parties were entitled to note any objections within ten (10) days. Fed. R. Civ. P. 72(b). The Court has received no such objections. As a result, and having reviewed the Magistrate Judge's Report and Recommendation and pertinent portions of the record, the court agrees with the Magistrate Judge's recommendation. Accordingly, it is hereby

**ORDERED and ADJUDGED**

that the Magistrate Judge's Report and Recommendation (Dkt. No. 31) is **ADOPTED**. The Commissioner's Motion for Summary Judgment (Dkt. No. 27) is **GRANTED**, and Broughman's Motion to Remand (Dkt. No. 25) is **DENIED**. The Clerk of Court is directed to send copies of this Order to counsel of record for all parties.

ENTER: This 19<sup>th</sup> day of December, 2008.

  
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Hon. James C. Turk  
Senior United States District Judge